

Federal Defenders
OF NEW YORK, INC.

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

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BY ECF

Hon. Paul A. Crotty
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Schulte*, S2 17 Cr. 548 (PAC)

Dear Judge Crotty:

For the reasons set forth below, the defense respectfully requests that the Court postpone the CIPA § 6(c) hearing, currently scheduled for Monday afternoon, December 16, 2019, until after the Court holds the *Curcio* hearing, currently scheduled for Wednesday, December 18, 2019, and decides whether current counsel can remain on this case. It is our understanding that the government objects to postponing the CIPA § 6(c) hearing, but does not object to holding the *Curcio* hearing before the CIPA hearing commences, if that is possible.

Given the many outstanding disputes over the admissibility of, and potential substitutions for, the classified information at issue, the CIPA § 6 hearing requires extensive preparation (all done in the SCIF), and is likely to be time-consuming, tedious, and document-intensive. The parties also intend to meet Monday morning, if possible, in an effort to resolve some of the outstanding CIPA disputes. All of this work may be for naught, however, if defense counsel is relieved on Wednesday.

Because of the unresolved *Curcio* issue, we submit that the interests of judicial economy weigh in favor of postponing the CIPA § 6(c) hearing until after the *Curcio* issue is resolved.

Respectfully submitted,

/s/

Edward S. Zas
Sabrina P. Shroff